G.R.S. IX—5]

Previous references.

1923
RA

File No. 29-23
Serial Nos. 7-9, 1327
42

Later references.

To be preserved for the present
DR
21/12/31

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Six

✓

Part B for April 1924.

SUBJECT

Appeal petn of/m B. S. Venkatasubbaiyer, pleader, Srirangapatnam praying for the cancellation of Election Numbers Taluk Board in the Arkalgud Taluk held on 5-12-24 on account of certain irregularities.

Nos. 6033 & 29-4-24

Returns and records connected with the case as well as appellant's petn. read.

Manavasamy Iyengar
3/5/24.

G. R. S. III—3]

1902. RA 29—23 Sl 7 1802 P.

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

Appeal petn of 29.2.1922 from mr B. S. Venkataramiah pleader, and Law Student Seringapatam praying for the Cancellation of Election of members to the R.B. in the ~~Arkalgud~~ Arkalgud Taluk held on the 15th Feby on the ground that Govt servants were allowed to stand as candidates for Election in the said Taluk and requesting that the Connected records may be called for from the Deputy Commr Hassan & and a fresh Election ordered.

1. Out of the 11 Candidates that stood for Election, the two persons Mr. B. Devaraj Urs, B.A., LL.B, and Mr. Raghava chari are, it is said Govt Inspection Servants ~~2~~ if appointed, a report may perhaps be called for from the Deputy Commr & the petn along with the connected records.

Recd 10/3

Seen 4/3

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W. P. 1860—G.P.B.—1,80,000—2-21

1802 12883 3928

R29-23

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

From the Petitioner Sl. 2.8
Letter dt 8-3-24
Forwards the endorsement
granted to him by the
Dy Com. Harbour praying
that he may be given an
early opportunity to
substantiate his case.
From the petitioner Sl. 29.
Letter dt 4-3-24
states that he may be
given an opportunity to
quote authorities in support
of his contention.
Submitted.
The Dy Com. Harbour dh
State the reason in the Flag L.
endorsement granted to the
petitioner, why he has rejected
his petition.
A draft is hereon put up
for approval.

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

3 slips
7-8 Sme cwg
1/3

3928 3 (B)
3883
1892

G. R. S. III-2]

General and Revenue Secretariat. | RA File No. 29 of 19 23

Serial No.	
13	To The Dy Comr Anantapur Nr: PB 5140 dy 15.3.24 Forwards the petition for early report with records.
Short 15/3/27	From D.C. Hanamkonda Dist Letter no. Cc 453-23 dt 25.3.24. With ref to sl. 13 above forwards report with records on the appeal petition of Mr. B.S. Venkata Subbiah, Pleader, Bezwada against the order of the D.C. confirming the election held at Atmakur. Submitted for personal orders. The petitioner states that the election which took place on 15/2/24 in the Atmakur Towns for election of a Member from Atmakur Rural Constituency, may be declared absolutely void on the following grounds:- 1) The election began at 11-45 Am instead of at 11 Am. 2) Messrs Muttiga Raghavacharyulu a Govt servant on leave & Mr. B. Devaraj Naidu of Nuzvid, (one who is not resident in Atmakur Rural Constituency

NOTE—Contn. sheet.

(4 4

G. R. S. III-2]

General and Revenue Secretariat. | RA File No. 29 of 1923

Serial No.

were allowed to stand as candidates for election as Members from that Constituency.

3) that persons interested in the candidates were allowed to work in the polling booth

4) that the Candidates & their agents used bribes & promises for securing votes near the polling booth & lastly.

5) Corrupt practices were resorted to by the candidates.

As regards the points 1, 3, 4 & 5 the Dy Commissioner states that as the petitioner did not press an enquiry on these points on 22.2.24, no enquiry was made.

Para: 4 of D.C's report (Recd)

II As regards point No: 2, re: unqualified persons having been allowed to stand as Candidates the Deputy Comr. states that "the irregularity does not appear to have materially prejudiced the petitioner as he got only 6 votes, while the petitioner got 72, while 231 and 182 were secured by the successful candidates, and that the petitioner could have got more than what he got even if those who voted for Mr. Rajanaicker, had voted in favour of the petitioner. It is not clearly explained why objection was not taken at the time

Para: 7 of D.C's report

the Registration unqualified

NOTE—Contn. sheet.

4219 (5)

G. R. S. III-2

General and Revenue Secretariat. | File No. 29 of 1923

Serial No.

about
time for the inclusion of the 2
Names, not qualified in the Candidates
list. And Why the Candidature of
Sankalpa kept Quite without taking
proper steps to remove the Names when
the irregularity was brought to his notice
by the petitioners -

Ptn. & 1 C. D.C's Report

13 The Candidate's report in the matter
has not been obtained.

14 Submitted for orders.

31.3.24 / 1.4

15 The question is whether
the inclusion of non-qualified
men amongst the candidates
does not vitiate the whole election

1/4

16 The appellant is dead -
a regrettable accident during a railway
journey recently - No action is called for
Records may be returned - on
merits also there is no case.

Draft submitted for approval

26/4

NOTE—Contn. sheet.

G. R. S. III-2,

General and Revenue Secretariat.	R. A File No. 29 of 1923.
Serial No.	
42	To the D.C. Kohat Dist No. P. 6033 dt 29. 4. 24 Returns in records connected with the case as the appellant is dead.

25

3883
P

RA 29-23
R 28

To,

The Secretary to Government of Mysore
Local and Legislative Departments,
Bangalore

Respected Sir,

In continuation of my appeal dated 29th. ultimo, praying that the Government may kindly be pleased to call for the entire records mentioned therein and cancel the elections of members to the Representitive Assembly from the Arakalgud Taluq Rural constituency held on the 15th. of February 1924, I beg to submit herewith the endorsement granted to me by the Deputy Commissioner of Hassan dated 6th. instant and also an authenticate copy of this order, for your kind perusal; and request that you may be pleased to obtain the orders of the Government for a fresh election being held at a very early date and also give me an oppurtunity to substantiate my case.

I beg to remain
Sir,
Your most obedient servant

Dated 8th. March 1924
Bangalore

B.S. Venkatasubbaiah.
Pleader & Land Holder
Seringapatam.

Cur
Rec 10/3 '24

28133 Reg'd

& 3928
P

To

The Secretary to the Government of Mysore
Local and Legislative departments
Bangalore

Respected sir

I submitted an appeal petition in person on the 29th ultimo praying that the representative assembly election of Arkalgud Taluk rural constituency held on the 15th February 1924 may kindly be cancelled and a fresh one ordered as the whole election is illegal and void ab initio on the ground that a person who should not stand as a candidate for election was allowed to stand as a candidate and take part in the election and such acceptance of candidature of persons not eligible to stand vitiates the entire election

If the government feels any doubt as to the correctness of my contention, I most respectfully pray that I may be kindly given an opportunity to quote authorities (English and American decisions) in support of my contention in addition to what I have already stated in my petition to the deputy commissioner of Hassan district viz government orders passed on election cases.

I beg to remain
Respected sir
Your most obedient servant
B. S. Venkataswamaiah B.A. Vakil
Pleader, Seringapatam.
ಬಿ. ಯಸ್. ವೆಂಕಟಸುಬ್ಬಯ್ಯ. ಬಿ.ಎ.ಬಿ.ಎಲ್. ಪ್ಲೀಡರ್.

Seringapatam
4th March 1924

G. R. S. VI—G/32]

SUBJECT ..... Forwards the petition of M/s B. S. Venkataramaiah for report with records

Diary No. of letter replied to ..... 3928 / 3883 / 1802

Section RA9-23

File No.

Serial No. 13

General and Revenue Secretariat

(RA)

, the 192 .

No. 8.5760

Enclosures /-

Date of issue 15-3-24

To

The Dy Com.r

Hassan Dt

Signed by .....

Sir,

I am directed to forward for early report with records the petition Regd No. 1802 Dy 29.2.24 with allts enclosures appealing against from M/s B. S. Venkataramaiah, Pleader Secretary Patam appealing against the order of the Dy Com.r Confirming the Hassan Dt Election

WD 0632 - GPB—18500—16-8-23

to ~~the allegations~~
in ~~the irregularities, etc~~
the election held at Arikal-
for the Rep: Socialist
~~and dismissed~~
-ind on 15/2/24,
that the election may be
set aside on the ground of
that Government Servants
were allowed to stand
as candidates & a fresh
election ordered.

Thanks

Copy
17/3
For Local & Legislative Secy.

List of enclosures,

Copied by

Examined by

R.A.

4219

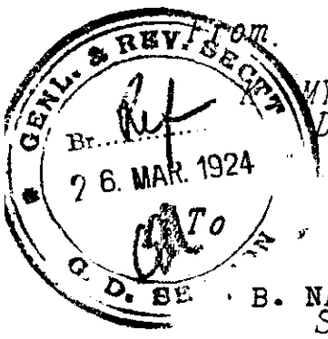
No.He.453-23. 30323 Office of the Deputy Commissioner,

En two: Cattle file + Appeal petn. will be enclosed

Hassan District,

Hassan, Dated 25th March 1924.

R.A.29-23-27



From.

MYLAR RAO, ESQ., B.A., B.L.,
Deputy Commissioner,
Hassan District.

To

B. NAGAPPA, ESQ., BAR-AT-LAW.,
Secretary to Government of His Highness
the Maharaja of Mysore, Local & Legislative
Departments, B A N G A L O R E.

Sir,

Recd 27/3

With reference to your No.P.5140/R.A. 29-23-13 dated the 15th March 1924 calling for report with records on the petition of Mr.B.S. Venkatasubbiah, Pleader, Seringapatam, appealing against the order of this office confirming the Election held at Arkalgud on 15th February 1924 for the Representative Assembly, I have the honor to forward herewith the records called for and to state as follows:-

2. In his petition dated 18th February 1924 (received in this office on 20th February 1924 ferist 2/3), the petitioner urged that Messrs. Muttige Raghavachar, School Master on leave and B.Devaraj Urs, B.A. LL.B., of Mysore were allowed to stand as candidates contrary to the Government Order No.2398/Legis.12-23-5 dated the 7th November 1923, that his objection thereto at the time of election was overruled by the Amildar, that the Election was commenced at 11.45 A.M., instead of at 11 A.M., that even in the Polling booth persons interested in the candidates were allowed to work in their behalf, that some candidates and their agents used threats and promises for securing votes near the polling booth, that in addition to other corrupt practices ~~reckoned~~ resorted to by them, cart-hire was paid to the voters and that the election was thus ab-initio-void. He however stated that no enquiry need be made regarding the corrupt practices urged and prayed that on the other grounds mentioned, the election be set aside and a re-election ordered.

3. The case was posted to 25th February 1924 and notices were serve on both the parties.

12

4. Three days before the date of hearing i.e. on 22nd February 1924, the petitioner happened to be here in connection with a Revenue sale (of Jodi Kittane village, Hassan Taluk). He endorsed on the notice then presented to him, that he was unable to appear before the Court on 25th February 1924 and that in case an adjournment could not be given to the 1st March, the petition might be disposed of in accordance with the Rules after ascertaining whether or not Mr. Raghavachar was a School Master. He represented to me in person also on the same day that the only point he would urge for consideration was that one of the candidates, Mr. Raghavachar, was a Public Servant incapable of standing for election, and that the election was therefore invalid. He said that he would not press any other points.

5. On the date of hearing, viz., 25th February 1924, Mr.Devoji Rao, Pleader, Seringapatam, appeared on behalf of the petitioner, who was absent. The counter petitioners appeared in person. Both the parties were heard. Mr. Devoji Rao contended that the fact of Mr. Raghavachar, a Government Servant, standing as a candidate was not merely an irregularity, but an illegality which vitiated the election itself. He took his stand purely on this question of law and did not care to produce any evidence in support of the facts urged by him. The other points referred to in the petition were not pressed.

6. The counter petitioners admitted that Mr.Raghavachar was a School Master, but said that they did not know whether at the time of election, he was still a School Master or had resigned. They further stated that the petitioner did not take any objection to Mr. Raghavachar standing as a candidate when the election was commenced and that he urged this objection only after the results were announced.

7. The irregularity in Mr. Raghavachar's standing as a candidate did not appear to have materially prejudiced the petitioner. Mr. Raghavahcar got only 6 votes and the petitioner 62, against 231

13

against 231 secured by the 1st counter petitioner and 182 by the 2nd counter petitioner, that is, very many more than what the petitioner would have had even if those who voted for Mr. Raghavachar had given their votes to the petitioner. I held therefore that the election was not liable to be set aside or a fresh election ordered, and accordingly dismissed the petition. The present appeal before Government is against that Order.

8. The chief point urged in the appeal petition presented to Government is that Messrs: Raghavachar and B.Devaraj Urs, who were ineligible under the Rules stood as candidates and that the election should therefore be set aside and a fresh election held.

9. The petitioner says in his petition to this office, that the fact of Messrs: Raghavachar and B. Devaraj Urs being incompetent to stand as candidates came to his knowledge just at the time of the election and that he brought it to the notice of the Amildar at once; but the counter petitioners say that it was only after the results were announced that the objection was raised by him. In the appeal petition to Government the petitioner gives a slightly varied version and says that it came to his knowledge some time after their names appeared in the Gazette, but he did not take objection thereto in time, because of the absence of any provision under the Rules to remove the names of such persons from the candidates' list. As he did not take the objection in time, he should, it seems, be deemed to have waived it.

10. The petitioner further says in the appeal petition that Mr. Raghavachar came to know that he could not be a member, even if elected, and did not want to lose his 20 years' service as a School Master and his pension by resigning the appointment, for the sake of being a member of the Assembly and that he therefore induced the voters of his side to give their votes in favour of counter petitioners. This is a new point not urged in the petition to this office and no evidence is adduced in support of it.

Para 11 of Appeal petn

Plea ?

11. The petitioner also says in his petition to Government

that he did not canvass for votes in his favour, as he was certain that the election would be held to be invalid on account of Mr. Raghavachar standing as a candidate. It is hard to believe this as true. This allegation as well as that referred to in the previous para appear to have been made with a view to explain, if possible, the difference between the number of votes secured by the petitioner and that secured by the counter petitioners, referred to in the Order appealed against.

12. The appeal petition received with the letter under reply is herewith returned.

I have the honor to be,

S i r,

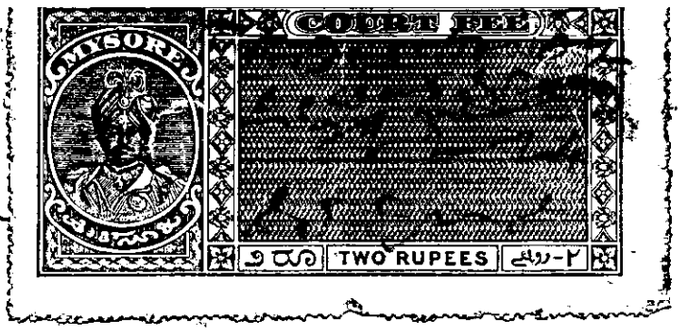
Your most obedient servant,

K. Raghavarao

Deputy Commissioner,

Hassan District.

BSK



DIARY No. 1602

1923 — 1924

Section: Rep

File No.

Serial No.

RA 29-23 Fl: 7

శ్రీ కార్యనిర్వాహక సహాయకులు గారు చార్జ్ తీసుకోవడం

శ్రీ దివాణ్ బహదూర్ గారికి

1923-24 సంవత్సరానికి RA ఎలక్షన్లకు సంబంధించి

అభ్యంతరాలు లేవు

అభ్యంతరకులు

1. శ్రీ M. సంకరప్ప పాటిల్ గారు

2. శ్రీ A. V. నారాయణ రావు గారు

అభ్యంతరకులు లేవు

Asst Secy

తేదీ 29/2

Please submit to Hon'ble Minister

ఎన్నిక అభ్యంతరాలు రావు ఎన్నిక అయినట్లు ప్రకటించుట

కొన్ని వ్యాఖ్యలు

1. ఈ అభ్యంతరకులు తాలూకా బోర్డు కు ఇచ్చినవి కాని, ఇవి నా దృష్టికి రాకుండా నేరుగా దివాణ్ బహదూర్ గారికి ఇవ్వడం జరిగింది. తేదీ 7.11.1923 తారీఖు P. 2397 Legis 12-23-4 ప్రకారం ఈ విషయాలు నేను 2(a)(i) నియమాల ప్రకారం అభ్యంతరాలు తాలూకా బోర్డు కార్యదర్శి కి పంపవలసి ఉంది. ఈ విషయాన్ని P 2398 Legis 12-23-5 ద్వారా తెలియజేయడం జరిగింది. ఎన్నిక అధికారి నిర్ణయాలు తెలియజేయడం జరిగింది.

2. నవంబరు 24వ తేదీ తాలూకా బోర్డు అధ్యక్ష పదవికి నామినేషన్ పత్రాలు దాఖలు చేయడానికి చివరి తేదీ. నవంబరు 26వ తేదీ అధ్యక్ష పదవికి ఎన్నిక జరుగుతుంది. 11వ నవంబరు నాటికి నివేదిక పంపవలసి ఉంది.

3. ప్రస్తుత పరిస్థితిలో ఎన్నికలు నిర్వహించడం సరైనది కాదని నా అభిప్రాయం. ఈ విషయాన్ని ఇదివరకే తెలియజేయడం జరిగింది. ఎన్నికలు నిర్వహించడానికి సంబంధించిన నియమాలు (RA 30) అధికారాలు ఇవ్వడానికి ముందు ఈ విషయాన్ని తెలియజేయడం జరిగింది. ఈ విషయాన్ని ఇదివరకే

ఎట్లాగా రవ్వలమీద రాసిన అక్షరాల్ని చిన్న అద్దాలతో
కలుపుకుంటూ రాసుకుంటూ వచ్చాడు. ఇంతలో ఆ
తెల్లవారుఝామున ఎవరో వచ్చి తలుపు తట్టారు. ఆ
చప్పుడికి ఉలిక్కిపడి లేచి తలుపు తీశాడు. ఆ వచ్చిన
వ్యక్తి ఒక ఉత్తరం ఇచ్చి వెళ్ళిపోయాడు. ఆ ఉత్తరం
రాసిన వ్యక్తి ఎవరో కాదు. ఆ ఇద్దరు
కాదు. ఆ ఉత్తరంలో ఏముందో తెలుసుకోవాలని
ఉందా? అయితే ఆ ఉత్తరాన్ని ఇక్కడ
ఇస్తున్నాను —

ఉత్తరం

ఇట్లు

ఇట్లు

ఇట్లు

3

M. Venkaiah.
Pleader & Landholder

ನಂಬರು. IM 4941 dated 3rd May 1922
(out).

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗವರ್ನಮೆಂಟ್ ಜನರಲ್ ಮತ್ತು
ರೆವಿನ್ಯು ಸೆಕ್ರೆಟರಿಯವರ ಕಛೇರಿಯಿಂದ.

ಅರ್ಜಿದಾರ — ಶ್ರೀರಂಗಪಟ್ಟಣ ~~ತಾಲ್ಲೂಕು~~ ದಳವಾಯಿ ವಿಸ್ತೀರ್ಣ. ~~ಹೋಬಳಿ~~

ಮಿ॥ ಬಿ. ಯನ್. ವೆಂಕಟ ~~ರಾವ್ ಪಟ್ಟಣಶೆಟ್ಟಿ~~ ರವರಿಗೆ

ಇಂಡಾರ್ಸ್ ಹುಕುಂ.

1922 ನೇ ಮಾರ್ಚಿ 23 ನೇ ತಾರೀಖಿನ ನಿಮ್ಮ ಅರ್ಜಿಯನ್ನು ಪರಿಶೀಲಿಸಿ
ಸರಕಾರ್ ಶ್ರೀರಂಗಪಟ್ಟಣ ದರ್ಖಾಸ್ತಿನ ಆರ್. ಎ (R.A).
ವೋಚರ್ಸ್ ಅಪ್ಲಿಸಿನ ಕೆಲವು ನ್ಯೂನತೆಗಳ ಇರುವ್ಯೊಂಬ ವಿಷಯದಲ್ಲಿ.

ನೀವು ~~ತಿಳಿಸಿಕೊಂಡ~~ ಗುಜರಾಯಿಸಿಕೊಂಡ 19-4-1922 ನೇ
ಮತ್ತು ನಿಮ್ಮ ಅರ್ಜಿಯನ್ನು ~~ಕಾಯಿಸಿಕೊಂಡಿತು~~, ಪ್ರಸ್ತುತ ಸಂಬಂಧದಲ್ಲಿ ಮೇಲ್ಕಂಡ ದಿನಾಂಕದ
ಕಮಿಷ್ಟರವರಿಗೆ ತಳುಹಿಸಿದೆ.

ಶ್ರೀರಂಗಪಟ್ಟಣ ದರ್ಖಾಸ್ತಿನ ಮತ್ತು ಅರಕಲಗೂಡು ತಾಲ್ಲೂಕುಗಳ ವೋಚರ್ಸ್ ಅಪ್ಲಿಸಿನ ~~ವಿಚಾರದಲ್ಲಿ~~ ಇನ್ನೂ ಕೆಲವು ನಮೂನೆಗಳನ್ನು ಕೊಂಡಿಲು ನಿಮ್ಮ ಇರಾದೆಯುಂಟೆ. ಅವಕಾಶವನ್ನು ಕೊಂಡಿಲು ಆಗಲಾರದು.

ನಿಮ್ಮ 25-4-1922 ನೇ ಮಧ್ಯಮಿನ ತಾರೀಖಿನ ಜ್ಞಾಪಕದಲ್ಲಿ
ರಿಜಿಸ್ಟ್ರಿ ಕಾರ್ಡನ್ನು ಇದರೊಂದಿಗೆ ವಾಪಸು ಮಾಡಿದೆ.

By Order,

E Ramakrishna

For. Chief Secretary to Government

ಬೆಂಗಳೂರು.
1922 ನೇ ಮೇ 3 ನೇ ತಾರೀಖು.

WD 470—1000.—GPB—17-8-16

ಗಸ್ತು

Rev. Genl. ನಂ.

1923-24 ನೇ ಇಸವಿ Election appeal ನಂಬರ್ 6.

ಅಪ್ಪೆಲ್ಲಾಂಟ್
ಶ್ರೀ ಬಿ ಶಿವಾದಿ
ಶ್ರೀ ಆರ್. ಶ್ರೀನಿವಾಸಪ್ಪ

ಪ್ರತಿವಾದಿ
1 ನೇ ವಿ.ಕೆ. ಶಿವಲಿಂಗಯ್ಯ
2 ನೇ ಗಂಗಿರಂಗಪ್ಪ

ಇವರಿಂದ

ಅಪೀಲ್ ಕಾಲಿ ಕೇ

ತಿಳಿಯುಪಡಿಸುವದೇನಂದರೆ

ಈ ಮೊಕದ್ದಮಾ ತನಿಬೆಬಗ್ಗೆ ಸರ್ ಮೆಜಕೂರು 1924 ಳಿಯ್ಯಳಿ ಫೆಬ್ರವರಿ ಮಾಹೆ 25ನೆ ತಾರೀಖು ಹಿಯರಿಂಗ್ ಗೊತ್ತುಮಾಡಿಸಿರುತ್ತಾಗಿ ನೀವು ಆ ತಾರೀಖು ದಿವಿ 11 ಘಂಟೆಗೆ ಸರಿಯಾಗಿ ಮೊಕ್ಕಾಂ ನಮ್ಮ ಕೂಬರೂ ನಿಮ್ಮ ಪರವಾದ ರುಜುವಾತುನಿನಿ ಹಾಜರಾಗಜೇಕು. ಸಾಕ್ಷಿಗಳು ಹಾಜರಿ ಅವಶ್ಯವಾದರೆ ಈಗಲೇ ಸಮೆ ಮಾಡಿಸಬೇಕು. ತಪ್ಪಿದಲಿ ಕ್ರಮವರಿತು ನಡೆಸಲಾದೀತು.

ತಾ॥ 21-2-24

ಹೆಚ್.ಬಿ.ಭೂವರಾಯಪ್ಪ.
ಸಹಾಯಕ ಕಮೀಷನರ್ ಹಾಸನ
ರೆವಿನ್ಯೂ ಆಫೀಸರ್.

Elect/Petn/3/23-24

ತಾಂತ್ರಿಕ ಕಾರಣಗಳಿಂದ ಚುನಾವಣಾ ಅರ್ಜಿಯನ್ನು

ಹಿಂಪಡೆಯಲು ಅನುಮತಿ ನೀಡಿ ಆದೇಶಿಸಿರುವ

ಬಗ್ಗೆ ಮಾಹಿತಿ ಇರುತ್ತದೆ.

ನಿಮ್ಮ ಅರ್ಜಿಯಲ್ಲಿ ಕೋರಿರುವ ಪ್ರಕಾರ 15/24

ರಲ್ಲಿ ಪ್ರತಿವಾದಿಯು ಮಾಡಿರುವ ಚುನಾವಣಾ

ಖರ್ಚಿನ ವಿವರಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಅವರು ಸಲ್ಲಿಸಿರುವ

ವೆಚ್ಚದ ಲೆಕ್ಕಪತ್ರಗಳಲ್ಲಿ ಅವರು ಮಾಡಿರುವ 100 ರೂಪಾಯಿ

ಕಾಣಿಕೆಯನ್ನು ಹೊರತುಪಡಿಸಿ ಉಳಿದ ಯಾವುದೇ

ಖರ್ಚಿನ ವಿವರಗಳನ್ನು ಅದಕ್ಕೆ ಸಂಬಂಧಿಸಿದ

ಸಾಕ್ಷಿಗಳ ವಿಚಾರಣೆಯ ನಂತರ ಪರಿಶೀಲಿಸಲಾಗುವುದು.

2 ಲೀಡಿಂಗ್ ಕಾಪಿ ಆದ 25.2.24 ರಲ್ಲಿ ಪ್ರತಿವಾದಿಯು

ಸಲ್ಲಿಸಿರುವ ಚುನಾವಣಾ ವೆಚ್ಚದ ವಿವರಗಳಲ್ಲಿ

ಉಲ್ಲೇಖಿಸಿರುವ ಖರ್ಚಿನ ವಿವರಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ

ಸಾಕ್ಷಿಗಳ ವಿಚಾರಣೆಯ ನಂತರ ಪರಿಶೀಲಿಸಲಾಗುವುದು.

ಈ ವಿಷಯವನ್ನು ಮಾತ್ರ ಆದೇಶಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ

K. Muralidhar Rao.

7.3.24.

Advocate

In the Court of the Deputy Commissioner

Hassan District.

Election Case No: 3 of 23-24.

Dated 25th Feb 1924

—Appellant—

Mr. B.S. Venkatasubbaiah

Respondent

1) Mr. A.V. Suryanarayana Setty

2) Mr. Nagappa Setty.

1. The only point pressed for consideration is that Mr. Raghavachar, one of the candidates that stood for election, was a Government servant and that the election is therefore invalid

2. The Counter petitioners admit that Mr. Raghavachar was a School master but they say that they do not know whether at the time of election, he was still a School master or had resigned.

3. The list of candidates was notified in the Gazette Extraordinary of the 30th January 1924 and no objection was taken to Mr. Raghavachar standing as a candidate. It is said that it was only after the results were announced on the 15th Feb, 1924 that the petitioners took objection to his standing as a candidate. An official is disabled from standing as a candidate and that Mr. Raghavachar stood as a candidate is an irregularity. Mr. Devoji Rao for the petitioner contends that it is not a mere

mere irregularity that the election itself is invalid on that account. There is no authority in support of this contention.

4. The irregularity in Mr. Raghavachar standing as a candidate does not appear to have materially prejudiced the petitioner Mr. Raghavachar got only 6 votes. The petitioner got 62 votes. Even if those who voted for Mr. Raghavachar had given their votes to the petitioner, he would have had only 68 votes in all. The successful candidates, messrs A V. Suryanarayanasetty and N.A. Jaina Setty have secured 231 and 182 votes respectively, very many more than what the petitioner would have had. I am therefore of opinion that the election is not liable to be set aside or a fresh election ordered on the ground of the irregularity referred to. The petition dismissed

Sd/ K. Anglar Rao.

"True copy."
K.S. Subbarayappa,
for Deputy Commissioner
Hassan.

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G. R. S. VI—G/32]

SUBJECT .....

.....

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Diary No. of letter replied to 429

Section QA

File No. 29-23

Serial No. 42

General and Revenue Secretariat

(QA)

, the 192 .

No. 86033 Records

Date of issue 29/4/24

To

The Deputy Commissioner

Hazaribagh

Signed by Mr. JKS.

Sir,

I am directed to return herewith the records received with your letter No: dt. 453-23 dated 25th March 1924, relating to the election held at Ramgarh on the 15th Feb 1924.

WD 0632-GPB—18500—16-8-23

28

And to state that
no further action
is called for as
the Appellant (Mr.
B.S Venkataramiah
Pleader, Seringapatam)
who contested the election
is dead.

Thanks

For Secy to Govt
L & L Department

28/12

List of enclosures.

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Examined by